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- 3. The method of claim 1 wherein a formaldehyde-fixed sample of the patient's tumor cells has been subjected to an immunohistochemistry assay and found to express HER2 at a 0 or 1+ level.
- **4**. The method of claim **3** wherein the immunohistochem- 5 istry assay is performed prior to detecting her2 gene amplification
- 5. The method of claim 1 which further comprises administering a cancer treating dose of a chemotherapeutic drug.
- **6**. The method of claim **5** wherein the chemotherapeutic 10 drug is a taxoid.

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